

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

**Re: Docket No. 331**

**DECLARATION OF ANDREW F. O'NEILL IN SUPPORT OF  
THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' APPLICATION FOR  
ENTRY OF AN ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF  
WHITE & CASE LLP AS COUNSEL EFFECTIVE AS OF AUGUST 28, 2023**

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I, Andrew F. O'Neill, pursuant to 28 U.S.C. § 1746, hereby declare that the following is true and correct to the best of my knowledge, information, and belief:

1. I am a partner of the firm of White & Case LLP ("**White & Case**"), an international law firm, which maintains offices for the practice of law in, among other locations, Chicago, Illinois. I am a member in good standing of the Bar of the State of Illinois and the U.S. District Court for the Northern District of Illinois and I have been admitted *pro hac vice* in connection with the above-captioned cases. There are no disciplinary proceedings pending against me in any jurisdiction.

2. I submit this second declaration (the "**Second Declaration**") pursuant to sections 328(a) and 1103 of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016, and Local Rules 2014-1, 2016-1, 9013-1 in support of *The Official Committee of Unsecured Creditors' Application for Entry of an Order Authorizing the Employment and Retention of White & Case LLP as Counsel*

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<sup>1</sup> A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

*Effective as of August 28, 2023* [D.I. 331] (the “**Application**”), filed by the Committee.<sup>2</sup> My first declaration was submitted as Exhibit B to the Application (the “**First Declaration**”).

3. On October 6, 2023, the Court entered an order approving the Application [D.I. 485] (the “**Retention Order**”).

4. To the extent that White & Case determines that any information disclosed herein requires amendment or modification upon White & Case’s completion of further analysis or as additional information becomes available to it, a supplemental declaration will be submitted to the Court reflecting the same. Except as otherwise noted, I have personal knowledge of the matters set forth herein.<sup>3</sup>

#### **Disclosure Regarding Former Law Clerks**

5. Alonso Aquije is a White & Case law clerk in the firm’s Chicago office. Mr. Aquije previously served as a law clerk to the Honorable Craig Goldblatt in the United States Bankruptcy Court for the District of Delaware. Mr. Aquije’s service ended in September 2023, and on October 16, 2023, began employment with White & Case. I do not believe that Mr. Aquije’s connection to Judge Goldblatt precludes White & Case from meeting the standard for retention of Committee counsel under the Bankruptcy Code.

#### **Reaffirmation of Statement of Disinterestedness**

6. Based on the foregoing, to the best of my knowledge and insofar as I have been able to ascertain, (a) White & Case is a “disinterested person” within the meaning of section 101(14) of the Bankruptcy Code, (b) White & Case holds no interest adverse under section 1103(b) of the Bankruptcy Code, and (c) White & Case has no connection to the Debtors,

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Application.

<sup>3</sup> Certain of the disclosures herein relate to matters within the knowledge of attorneys or employees of White & Case and are based on information provided by them.

their creditors, or other parties in interest, except as may be disclosed in the Application, the First Declaration, or this Second Declaration. Accordingly, I respectfully submit that the requirements for White & Case's retention as attorneys for the Committee have been met.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: October 23, 2023  
Chicago, Illinois

Respectfully submitted,

/s/ Andrew F. O'Neill  
Andrew F. O'Neill  
Partner, White & Case LLP